

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED

MAY 2 9 2003

Applicant(s):

Stephen Horrigan

Serial No:

09/964,824

Art Unit: 1631

TECH CENTER 1600/2900

Filed:

27 September 2001

GENE

Examiner: C.L Smith

Title:

CANCER

DETERMINATION

AND

THERAPEUTIC

SCREENING USING SIGNATURE GENE SETS

Docket No:

609290-73

23 May 2003

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Statement Under 37 CFR 1.821(f) and (g)

Sir:

Applicant hereby asserts that the copy of the Sequence Listing filed herewith in CRF form (on 3.5" diskette) is identical to the Paper Sequence Listing filed originally with the application and no new matter has been added.

Respectfully submitted,

Dlan J. Grant

Alan J. Grant Reg. No. 33,389

CARELLA, BYRNE, BAIN, GILFILLAN,

CECCHI, STEWART & OLSTEIN

6 Becker Farm Road Roseland, NJ 07068

Tel. No.: (973) 994-1700



HNOLOGY TEMS
BRANCH

CEIVED 1

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09 | 964, 82 |
Filing Date: 09 | 27 | 200
Date Processed by STIC: 9 | 11 | 02

STIC Contact: Mark Spencer, 703-308-4212

RECEIVED

MAY 2 9 2003

- 2 J ZUU3

Nature of Problem:

The CRF (was):

IECH CENTER	1600/2900
-------------	-----------

(ci	rcle one) Damaged or Unreadable (for Unreadable see attached)
	lank (no files on CRF) (see attached)	
	mpty file (filename present, but no b	
	irus-infected. Virus name:	The STIC will not process the CRF.
N	lot saved in ASCII text	
	equence Listing was embedded in the submitted file should only be the Se	e file. According to Sequence Rules, equence Listing.
D	old not contain a Sequence Listing. (see attached sample)
	Other:	. ,

PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS. SEE BELOW FOR ADDRESS:

http://www.uspto.gov/web/offices/pac/checker

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

- 1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>, EFS Submission User Manual ePAVE)
- 2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
- 3. Hand Carry directly to:
 - U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
 - U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
- 4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002